S.B.Civil Second Appeal No.231/2005

Navratan Raj Khajanchi vs. Manoj Agencies & anr.

Date : 8.8.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. Sumeet Mehta, for the appellant.

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Heard learned counsel for the appellant.

The first appellate court held that the goods which were sold by the plaintiff to the defendant were rebooked in the name of the plaintiff and the first appellate court after considering the reasons given by the trial court, on the basis of evidence on record, reached to the conclusion that the plaintif took the delivery of the goods and, therefore, not entitled for decree against the defendant.

In view of the above, I do not find any reason to appreciate and re-appreciate the evidence of obth the parties to find out whether the first appellate's finding recorded an issue of fact is based on sufficient or insufficient evidence.

No substantial question of law is involved in this appeal. Hence, this second appeal is dismissed.

(PRAKASH TATIA), J.

S.Phophaliya